

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire  
KML Law Group, P.C.  
216 Haddon Avenue, Suite 406  
Westmont, NJ 08108  
Main Phone: 609-250-0700  
dcarlon@kmlawgroup.com  
Attorneys for Secured Creditor  
Specialized Loan Servicing, LLC

In Re:  
David P. Comisky  
  
Debtor.



Order Filed on December 13, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 18-10469 MBK

Adv. No.:

Hearing Date: 12/03/19 @ 9:00 a.m.

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR  
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: December 13, 2019**

A handwritten signature of Michael B. Kaplan in black ink, written over a horizontal line.  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

(Page 2)

Debtor: David P. Comisky

Case No: 18-10469 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Specialized Loan Servicing, LLC, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 54 East Union Street, Bordentown, NJ 08505, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Andrew Thomas Archer, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of December 2, 2019, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due August 2018 through December 2019 for a total post-petition default of \$29,296.33 (3 @ \$1,769.37, 11 @ \$1,821.21, 3 @ \$1,784.11, \$1,397.42 less suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$29,296.33 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the Debtor shall file a modified plan within twenty days of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume January 1, 2019, directly to Secured Creditor's servicer, Specialized Loan Servicing, LLC, PO Box 636007, Littleton, Colorado 80163 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and motion for relief is hereby resolved.

Certificate of Notice Page 3 of 3

United States Bankruptcy Court  
District of New Jersey

In re:  
David P Comisky  
Debtor

Case No. 18-10469-MBK  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Dec 13, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 15, 2019.

db +David P Comisky, 54 East Union Street, Bordentown, NJ 08505-2073

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 15, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 13, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Andrew Thomas Archer on behalf of Debtor David P Comisky aarcher@spillerarcherlaw.com,  
bankruptcy@brennerlawoffice.com;r64966@notify.bestcase.com

Denise E. Carlon on behalf of Creditor Specialized Loan Servicing LLC dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com

Jeanette F. Frankenberg on behalf of Loss Mitigation Nationstar cmecf@sternlav.com

Rebecca Ann Solarz on behalf of Creditor Specialized Loan Servicing, LLC  
rsolarz@kmlawgroup.com

Robert P. Saltzman on behalf of Creditor Specialized Loan Servicing LLC dnj@pbslaw.org

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7